

# Memorandum



**Date:** April 24, 2007

**To:** Honorable Chairman Bruno A. Barreiro  
And Members Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Sale of County-owned Property  
Location: W Flagler Street and NW South River Drive  
Folio No. 01-0201-000-1220

Agenda Item No. 8(F)(1)(K)

## RECOMMENDATION:

It is recommended that the Board adopt the attached Resolution declaring the described County-owned property surplus, authorize the private sale of same to the adjoining property owner, Mr. George Bolton, pursuant to section 125.35-3(2) of the Florida Statutes and the waiver of Administrative Order 8-4 as it relates to the review by the Planning Advisory Board.

**MANAGING DEPARTMENT:** Public Works Department

**FOLIO NUMBER:** 01-0201-000-1220

**LOT SIZE:** 2,442 square feet (0.6 AC)

**LOCATION:** North of W. Flagler Street and NW South River Drive

**ZONING:** C-1 (Restricted Commercial)

**ASSESSED VALUE:** \$88,889.00 (2006)

**MINIMUM SALE AMOUNT:** If approved for surplus, GSA will sell the property via private sale to the adjacent property owner, for no less than its fair market value, to be determined by an independent state certified real estate appraiser.

JUSTIFICATION:

Florida Statute 125.35-3(2) provides that when the Board of County Commissioners finds that a parcel of real property is of insufficient size and shape to be issued a building permit and/or the value of the property is \$15,000 or less as determined by the County Property Appraiser, the Board may effect a private sale of the parcel with the adjacent property owner. The subject property's size and shape are not sufficient to support any type of development. If there is more than one adjacent property owner, then the property shall be bid amongst those owners. In this case, Mr. George Bolton is the sole adjacent property owner.

COMMENTS:

The subject property falls under the jurisdiction of the Public Works Department. The property was acquired by the Florida Department of Transportation (FDOT) on behalf of the County as part of a larger acquisition of land needed for the street-widening of the Flagler Street Bridge, where it crosses the Miami River.

At the time of the acquisition by FDOT, the Right-of-Way (ROW) maps were drawn in such a way as to mistakenly show all of the property acquired to include the subject parcel as belonging to FDOT. Upon the completion of the project, FDOT sold the excess land, not used for ROW purposes, via public bid to Mr. George Bolton in April 2003. During the due diligence process it was discovered that FDOT did not actually hold title to a piece in the center of the property, which belongs to Miami-Dade County. A request by FDOT that Miami Dade County convey the property to FDOT at the time of the sale was declined on the basis that Bond Funds were used to acquire the property.

The sale of this parcel will eliminate the County's obligation to maintain the property, and will put the property on the tax roll.



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Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** April 24, 2007

**FROM:** Murray A. Greenberg  
County Attorney

A handwritten signature in black ink, appearing to read "Murray A. Greenberg", is written over the printed name of the County Attorney.

**SUBJECT:** Agenda Item No. 8(F)(1)(K)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(F)(1)(K)  
4-24-07

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DECLARING COUNTY-OWNED  
PROPERTY LOCATED NORTH OF W. FLAGLER STREET  
AND NW SOUTH RIVER DRIVE, SURPLUS;  
AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY  
TO THE ADJOINING PROPERTY OWNER, MR. GEORGE  
BOLTON; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT  
RELATES TO REVIEW BY THE PLANNING ADVISORY  
BOARD; AUTHORIZING THE COUNTY MANAGER TO  
TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE  
SALE OF SAID PROPERTY; AND AUTHORIZING  
EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, for the property described in the accompanying County Deed, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board, pursuant to section 125.35-3(2) Florida Statutes, hereby declares County-owned property located at W Flagler Street and NW South River Drive, surplus; authorizes the private sale of said property to the adjoining property owner, Mr. George Bolton; authorizes the County Manager to take all actions necessary to accomplish the sale of said property legally described in the aforementioned County Deed; and authorizes the Mayor to execute said County Deed, in substantially the form attached hereto.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:


The foregoing resolution was offered by Commissioner ,  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this  
24<sup>th</sup> day of April, 2007. This resolution shall become effective ten (10) days after the  
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective  
only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency. 

Thomas Goldstein

By: \_\_\_\_\_  
Deputy Clerk

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Instrument prepared under the approval of:  
Thomas Goldstein, Assistant County Attorney  
111 NW 1 Street, Suite 2800  
Miami, Florida 33128-1907

Folio No. 01-0201-000-1220

## COUNTY DEED

THIS DEED, made this                      day of                      , 2007 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and                      , party of the second part, whose address is                      , Miami, Florida. :

### **WITNESSETH:**

That the said party of the first part, for and in consideration of the sum of Dollars and No/100 (\$                      .00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

-----SEE ATTACHED LEGAL DESCRIPTION-----

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

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IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by the Mayor as authorized by its Board of County Commissioners acting the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:  
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor

Approved for legal sufficiency. \_\_\_\_\_

The foregoing was authorized and approved by Resolution No. R- \_\_\_\_\_ of the Board of County Commissioners of Miami-Dade County, Florida, on the \_\_\_\_\_ of \_\_\_\_\_, 2007.

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

(NOT A SURVEY)

## LEGAL DESCRIPTION (PARCEL 107):

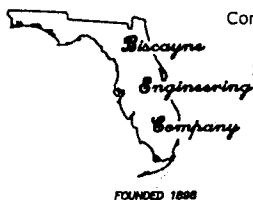
A portion of Lots 21 and 23, Block 10 South, CITY OF MIAMI, according to the Plat thereof, as recorded in Plat Book "B", Page 41, of the Public Records of Miami-Dade County, Florida, lying in Mrs. Hagan Donation (a.k.a. Section 38, Township 54 South, Range 41 East), being more particularly described as follows:

COMMENCE at the Southwest corner of said Lot 21; thence North 02°16'11" West, along the West boundary of said Lot 21 for a distance of 74.28 feet to the POINT OF BEGINNING of the herein described parcel; thence continue North 02°16'11" West, along the West boundary of said Lot 21, for a distance of 31.00 feet; thence along the Northerly Right-of-Way line of Flagler Street Bridge Right-of-Way as shown on State of Florida State Road Department Right-of-Way Map Section 87505-2601, Sheet 2 of 3, recorded in Plat Book 83, Page 44, of the Public Records of Miami-Dade County, Florida for the following (4) courses: (1) North 71°32'35" East, a distance of 25.98 feet; (2) North 87°44'10" East, a distance of 25.05 feet; (3) South 02°16'24" East, a distance of 12.50 feet; (4) North 87°44'10" East, a distance of 133.32 feet to a point on the Southwesterly Right-of-Way line for N.W. South River Drive, as shown on said Right-of-Way Map; thence South 18°28'43" East, a distance of 5.08 feet; thence South 89°17'52" West, a distance of 70.96 feet; thence South 76°24'22" West, a distance of 116.07 feet to the POINT OF BEGINNING.

All of the foregoing containing area of 2,442 square feet (0.06 acres), more or less

**ORDER No.:** 03-76849  
**DRAWING No.:** 2090-SS-64-B

### BISCAYNE ENGINEERING COMPANY, INC.



Consulting Engineers Planners Surveyors

529 WEST FLAGLER STREET  
MIAMI, FLORIDA 3310

PH: (305) 324-7671  
FAX: (305) 324-0809

### Florida Department Of Transportation, District VI

**Item / Segment No.:** N/A  
**W.P.I. No.:** N/A  
**State Project No.:** 87505-2601  
**Federal Project No.:** N/A  
**State Road No.:** Flagler Street Bridge  
**County:** Miami-Dade

SHEET 4 OF 4



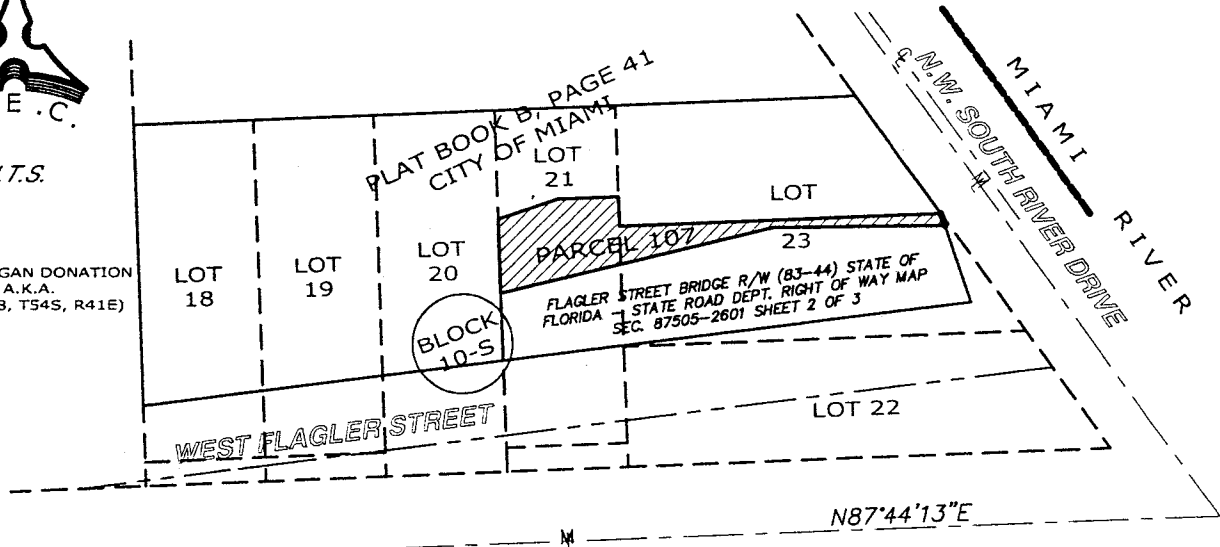
# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

(NOT A SURVEY)



N.T.S.

MRS. HAGAN DONATION  
A.K.A.  
(SEC. 38, T54S, R41E)



## SURVEYOR'S NOTES:

1. THIS MAP IS NOT A SURVEY.
2. LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OR ANY OTHER MATTERS OF RECORD.
3. REFERENCE DRAWING: DC-4575
4. BEARINGS SHOWN HEREON ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP (FLAGLER STREET BRIDGE), SECTION 87505-2601, SHEET 2 OF 3, AND ARE REFERENCED TO THE CITY OF MIAMI MONUMENT LINE OF WEST FLAGLER STREET, HAVING A BEARING OF N 87°44'13" E.

BISCAYNE ENGINEERING COMPANY, INC.  
529 WEST FLAGLER ST., MIAMI, FL. 33130  
TEL. (305) 324-7671  
STATE OF FLORIDA DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION  
EB-0000129  
LB-0000129

Date: 06/23/05

MIKE J. BARTHOLOMEW  
PROFESSIONAL SURVEYOR AND MAPPER NO. 5666  
STATE OF FLORIDA

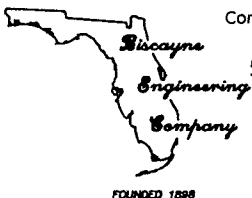
## LOCATION MAP

### SYMBOLS AND ABBREVIATIONS

P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
PB. = PLAT BOOK  
PG. = PAGE  
R/W = RIGHT OF WAY  
(P) = PLAN DATA  
N'LY = NORTHERLY  
S'LY = SOUTHERLY  
P.O.T. = POINT OF TERMINATION

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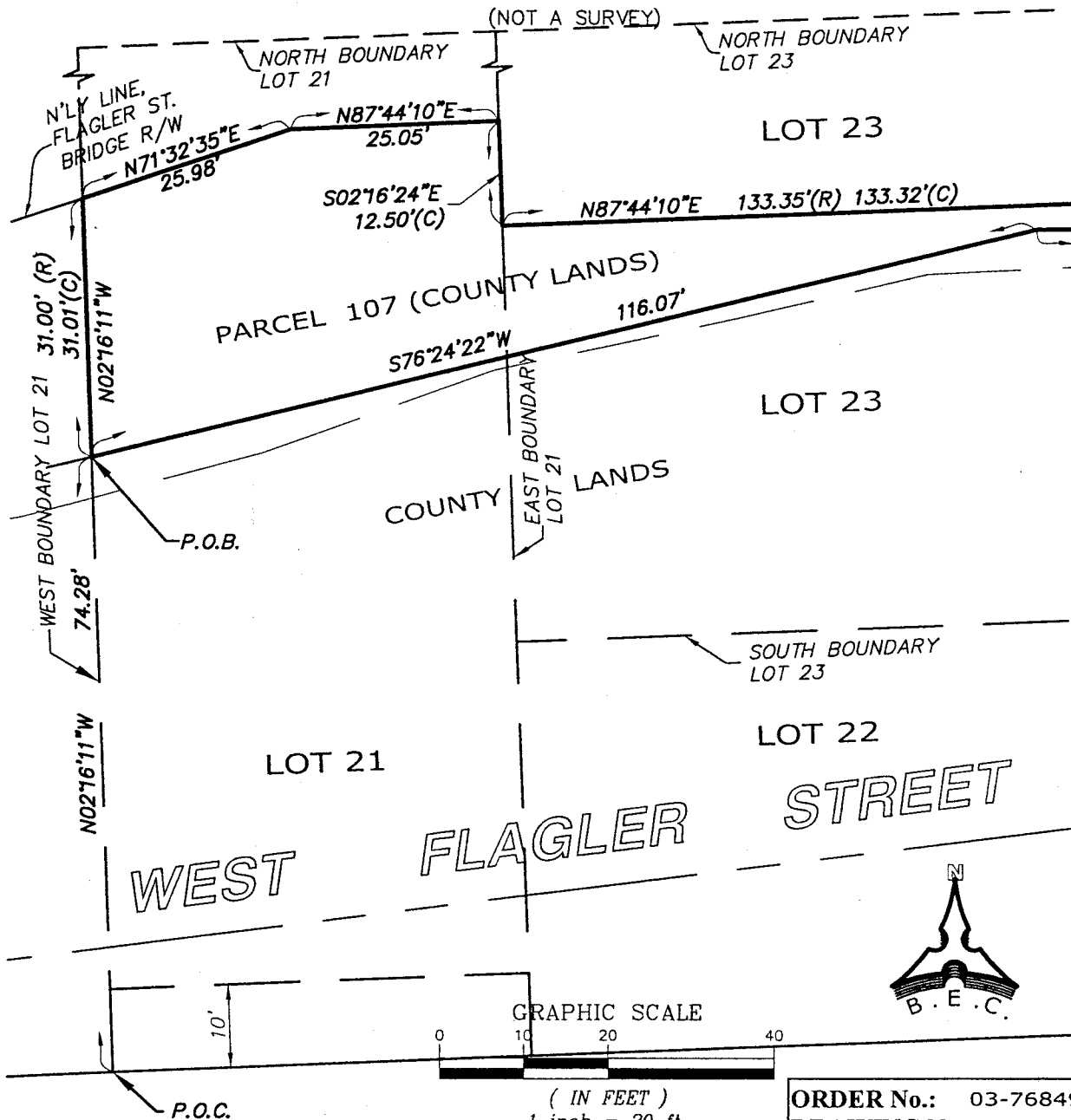
## Florida Department Of Transportation, District VI

Item / Segment No.: N/A  
W.P.I. No.: N/A  
State Project No.: 87505-2601  
Federal Project No.: N/A  
State Road No.: Flagler Street Bridge  
County: Miami-Dade

ORDER No.: 03-76849  
DRAWING No.: 2090-SS-64-B

SHEET 1 OF 4

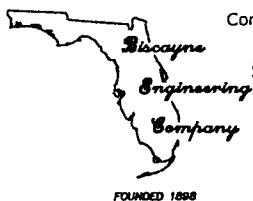
# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



MATCH LINE  
SEE PG. 3 OF 4

## BISCAYNE ENGINEERING COMPANY, INC.

Consulting Engineers Planners Surveyors



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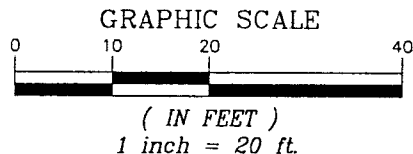
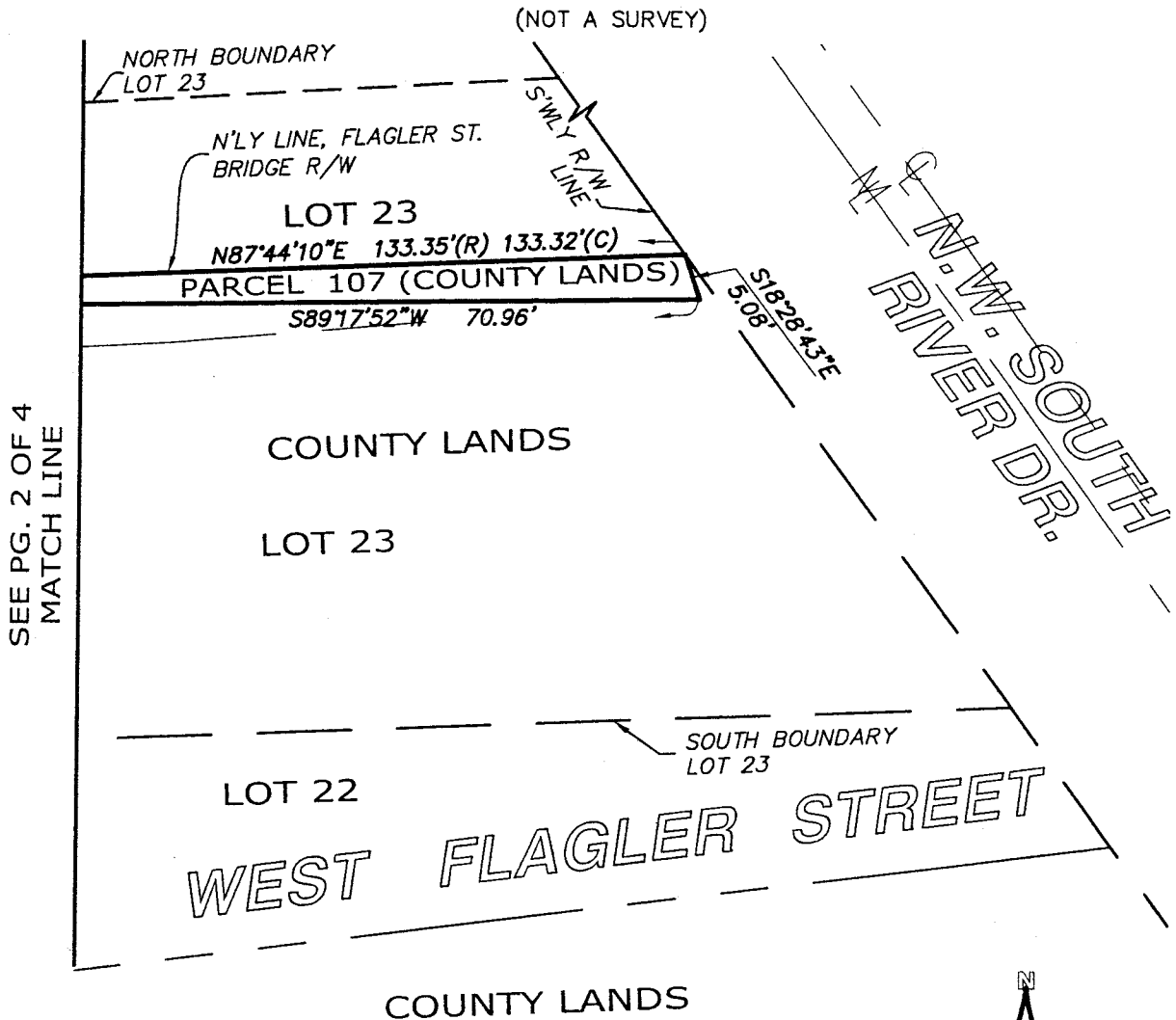
## Florida Department Of Transportation, District VI

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W.P.I. No.: N/A  
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Federal Project No.: N/A  
State Road No.: Flagler Street Bridge  
County: Miami-Dade

SHEET 2 OF 4

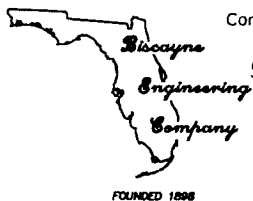
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# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



ORDER No.: 03-76849  
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County: Miami-Dade

SHEET 3 OF 4

## My Home

miamidade.gov

ACTIVE TOOL: SELECT



## Show Me:

Property Information

## Search By:

Select Item

☐ Text only

☐ Property Appraiser Tax Estimator

## Summary Details:

Folio No.:	01-0201-000-1220
Property:	
Mailing Address:	MIAMI DADE COUNTY GSA-R/E MGMT 111 NW 1 ST STE 2460 MIAMI FL 33128-1929

## Property Information:

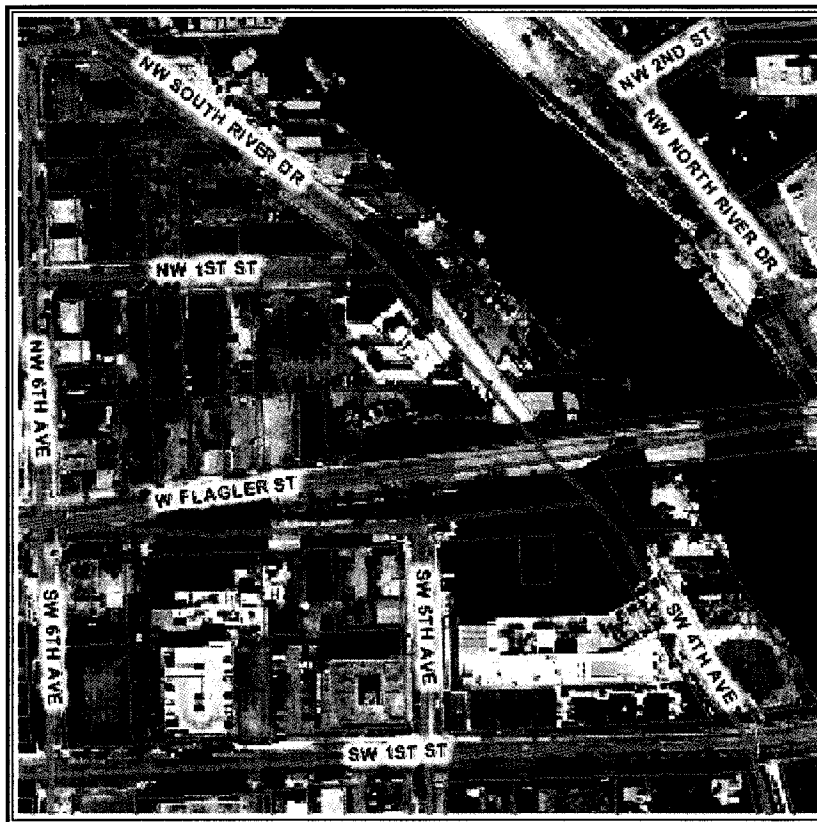
Primary Zone:	6100 RESTRICTED COMMERCIAL
CLUC:	0080 VACANT LAND-GOVERNMENTAL
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	2,442 SQ FT
Year Built:	0
Legal Description:	CITY OF MIAMI SOUTH PB B-41 PORT OF LOTS 21 & 23 BLK 10 DESC BEG 74.28FTN OF SW COR OF LOT 21 CONT N 02 DEG W 31FT N 71 DEG E 25.98FT N 87 DEG E 25.05FT S 02

## Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

## Assessment Information:

Year:	2006
Land Value:	\$88,889
Building Value:	\$0
Market Value:	\$88,889
Assessed Value:	\$88,889
Total Exemptions:	\$88,889
Taxable Value:	\$0



Digital Orthophotography - 2006

0 — 117 ft



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 please click here to let us know.

E-mail your comments, questions and suggestions to Webmaster

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